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2. Under the Speedy Trial Act, an Indictment charging a defendant must be filed within 30 days from the date on which the defendant was arrested or served with a summons in connection with such charges. 18 U.S.C. section 3161(b). Hence, at present time, the United States must obtain an Indictment on or before July 17, 2009 to meet the requirements of the Speedy Trial Act.
3. Counsel for the defendant and for the United States believe they have reached an agreement regarding a plea but both parties need additional time in which to prepare and present the plea agreement, currently scheduled for July 21, 2009.
4. Accordingly, the parties are seeking an Order continuing the time within which an indictment must be filed on the ground that the "ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial," as permitted by 18 U.S.C. sections 3161(h)(8)(A), (B)(i) and (B)(iv).
5. The parties believe that the failure to grant this extension would deny the government and the defense the reasonable time necessary for adequate and effective preparation, taking into account the exercise of due diligence.
6. The defendant has executed a Waiver of Speedy Trial waiving rights under the Sixth Amendment and the Speedy Trial Act, 18 USC 3161-3174 in this regard and has further agreed that the period from July 17, 2009 to September 30, 2009 shall be an excluded time period under the Speedy Trial Act pursuant to 18 U.S.C. section 3161 (h)(8)(A).
7. This is the first requested extension of the Speedy Trial Act in this case.

In light of the foregoing, IT IS HEREBY ORDERED that the time to file an Indictment be continued to September 30, 2009. The period of delay resulting from this

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1 continuance from July 17, 2009 to September 30, 2009 is hereby excluded for speedy
2 trial purposes under 18 U.S.C. section 3161 (h)(7).
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4 DONE this 8th day of July, 2009.
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8 ROBERT J. BRYAN
9 United States District Judge
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11 Presented by:
12

13 /s/ James B. Feldman
14 James B. Feldman
15 Attorney for Defendant

16 /s/ John Odell
17 John Odell
18 Assistant United States Attorney
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